

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DIANE ROSOLEN and DANIEL
ROSOLEN,

Plaintiffs,

v.

Case No. 2:19-cv-24-FtM-66NPM

HOME PERFORMANCE ALLIANCE,
INC.

Defendant.

ORDER

Before the Court is the (unopposed) Motion to File Under Seal Documents Designated as Confidential (Doc. 116). Plaintiffs Diane and Daniel Rosolen took the deposition of Gary Delia, as corporate representative of Home Performance Alliance, Inc. on July 31, 2020. Plaintiffs indicate testimony in this deposition supports their reply in further support of their motion for summary judgment. Plaintiffs represent this deposition contains sensitive, confidential, protected or proprietary information according to Defendant. Thus, Plaintiffs seek to file this deposition transcript under seal.

Because the proposed seal does not implicate the general presumption that substantive aspects of a civil action are a matter of public concern, and instead relates to the parties' confidentiality and access-to-information interests during the conduct of discovery, the Court grants the motion to seal. *See generally Romero v. Drummond Co.*, 480 F.3d 1234, 1245-48 (11th Cir. 2007); *Chicago Tribune Co. v. Bridgestone/Firestone, Inc.*, 263 F.3d 1304, 1310-1315 (11th Cir. 2001).

Accordingly, it is **ORDERED**:

- (1) The Motion to File Under Seal Documents Designated as Confidential (Doc. 116) is **GRANTED**.
- (2) Unredacted versions of the deposition transcript of Gary Delia, as corporate representative of Home Performance Alliance, Inc. will be filed under seal.
- (3) Plaintiff shall deliver the unredacted document to the Clerk's Office in an envelope with the caption of the case and an indication that the document is to be filed under seal pursuant to this Order. Upon receipt by the Clerk of Court of the document, the **Clerk** shall file it under seal and docket the item as "Sealed transcript from July 31, 2020 deposition of Gary Delia as Defendant HPA's designee." If feasible, counsel shall provide within the envelope a flash drive containing a PDF file of the document for ease of filing by the Clerk's Office.
- (4) This document shall remain under seal for the duration of this action and any appeal thereto, or until an Order is entered unsealing it.

DONE and **ORDERED** in Fort Myers, Florida on August 17, 2020.



NICHOLAS P. MIZELL
UNITED STATES MAGISTRATE JUDGE